



1401 H Street NW  
Suite 600  
Washington DC  
20005-2164

Tel (202) 326-7300  
Fax (202) 326-7333  
[www.usta.org](http://www.usta.org)

January 9, 2003

**SUMMARY OF  
*EX PARTE* PRESENTATION**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWA325  
Washington, DC 20554

**Re: Section 251 Unbundling Obligations of Incumbent Local  
Exchange Carriers; Implementation of the Local Competition  
Provisions of the Telecommunications Act of 1996; Deployment of  
Wireline Services Offering Advanced Telecommunications Capability  
CC Docket Nos. 01-338; 96-98; and 98-147**

Dear Ms. Dortch:

On January 8, 2003, Walter B. McCormick, Jr., President and CEO of the United States Telecom Association (USTA), Dan Phythyon, Senior VP Law and Policy, USTA, and the undersigned, met with Commissioner Kevin Martin, Daniel Gonzalez, Senior Legal Advisor, and Emily Willeford, Special Assistant for Legislative and Public Affairs. During the meeting, we discussed the above-referenced proceeding. USTA urged Commissioner Martin to support Federal Communications Commission (FCC) action in this proceeding that: is bold; eliminates regulatory uncertainty; encourages telecommunications infrastructure investment; and restricts the ability of states to add to the list of unbundled network elements (UNE) adopted by the FCC. Further, USTA reiterated its view that UNE policy is the sole province of the FCC.

In accordance with FCC Rule 1.1206(b)(2) of the Commission's rules, this

Marlene H. Dortch  
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Summary of *Ex Parte* Presentation is being filed electronically with your office for inclusion in the public record. Please feel free to contact me at (202) 326-7300 if you have any questions.

Sincerely,

/s/ Lawrence E. Sarjeant  
Lawrence E. Sarjeant  
Vice President – Law &  
General Counsel

cc: Commissioner Kevin Martin  
Daniel Gonzalez  
Emily Willeford